

Senate Bill No. 22

CHAPTER 3

An act relating to DNA identification, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 28, 2005. Filed with
Secretary of State February 28, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

SB 22, Migden. DNA Identification Fund.

Existing law requires the Legislature to loan the Department of Justice \$7,000,000 for purposes of implementing the DNA, Fingerprint, Unsolved Crime and Innocence Protection Act, enacted by voters at the November 2, 2004, general election, to be repaid from revenue generated by the act. Existing law establishes a state DNA Identification Fund to support DNA testing and related purposes.

This bill would loan \$7,000,000 from the General Fund to the Department of Justice, and would appropriate that amount to the Department of Justice for purposes of implementing the act.

The bill also would also appropriate \$4,000,000 from the state DNA Identification Fund to the Department of Justice for purposes of implementing the act.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Item 0820-001-3086 is added to Section 2.00 of the Budget Act of 2004, to read:

0820-001-3086—For support of the Department of Justice..... 4,000,000
Provisions:

1. The funds appropriated in this item are for the purposes of implementing the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Proposition 69) as approved by the voters November 2, 2004.

SEC. 2. Item 0820-002-0001 is added to Section 2.00 of the Budget Act of 2004, to read:

0820-002-0001—For support of the Department of Justice..... 7,000,000
Provisions:

1. The funds appropriated in this item are a loan to the Department of Justice pursuant to subdivision (e) of Section 76104.6 of the Government Code for the purposes of implementing the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Proposition 69) as approved by the voters November 2, 2004. Principal and interest shall be repaid in full no later than four years from the date of the loan and shall be repaid from revenue from the DNA Identification Fund as specified pursuant to Section 76104.6 of the Government Code.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make an appropriation to implement the DNA Fingerprint, Unsolved Crime and Innocence Protection Act to ensure sufficient resources are available to collect DNA samples and palm prints from qualifying felons and specified arrestees as required by the act, it is necessary that this act take effect immediately.